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GAU/1642

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*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

January 9, 2002

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WRITER'S DIRECT NUMBER:
(202) 371-2560
INTERNET ADDRESS:
resmond@skgf.com

Commissioner for Patents
Washington, D.C. 20231

Art Unit 1642

Re: U.S. Utility Patent Application
Appl. No. 09/430,175; filed October 29, 1999
For: **Multiple Marker Characterization of Single Cells**
Inventors: Lesko *et al.*
Our Ref: 1887.0020001/RWE

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal (Form PTO/SB/17) (in duplicate);
2. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1) (in duplicate);
3. Amendment And Reply Under 37 C.F.R. § 1.111, with copies of return postcards, date-stamped by the U.S. Patent and Trademark Office as having received on April 27, 2000, August 21, 2000, January 17, 2001 and January 26, 2001, the Information Disclosure Statements filed on those dates;
4. Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
5. Paper copy of the Sequence Listing (attached as pages 1-8) to be appropriately placed in the application;

Commissioner for Patents
January 9, 2002
Page 2

6. The Sequence Listing in computer readable form (3½" diskette in ASCII);
7. Return postcard; and
8. Our check no. 33784 for \$852.00 to cover:

\$252.00	Claims in excess of twenty (37 C.F.R. § 1.16(c));
140.00	Multiple dependent claim (37 C.F.R. § 1.16(d)); and
460.00	Extension for response within third month (37 C.F.R. § 1.17(a)(3)).

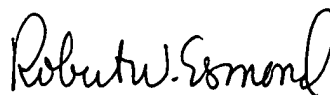
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The content of the paper and computer readable copies of the Sequence Listing submitted herewith are the same. 37 C.F.R. § 1.821(f). The present submission includes no new matter.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

RWE/dab
P:\USERS\DENISEB\18870021cov
Enclosures

PTO FEE TRANSMITTAL for FY 2002 <small>Patent fees are subject to annual revision.</small>		Complete if Known	
		Application Number	09/430,175
TOTAL AMOUNT OF PAYMENT		Filing Date	October 29, 1999
(\$852.00)		First Named Inventor	Lesko et al.
		Examiner Name	Cannella, K.
		Group Art Unit	1642
		Attorney Docket No.	1887.002006/175 WE

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																		
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to: Deposit Account Number: 19-0036 Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C. <input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		3. ADDITIONAL FEES Large Entity Small Entity <table border="1"><thead><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th><th>Fee Description</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr><tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td></tr><tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td></tr><tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td></tr><tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td></tr><tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td></tr><tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td></tr><tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td></tr><tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td></tr><tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td></tr><tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td></tr><tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td></tr><tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td></tr><tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td></tr><tr><td>123</td><td>130</td><td>123</td><td>130</td><td>Petitions related to provisional applications</td></tr><tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td></tr><tr><td>581</td><td>40</td><td>481</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr><tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td></tr><tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td></tr><tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td></tr><tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td></tr></tbody></table>		Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	105	130	205	65	Surcharge - late filing fee or oath	127	50	227	25	Surcharge - late provisional filing fee or cover sheet	139	130	139	130	Non-English specification	147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	115	110	215	55	Extension for reply within first month	116	400	216	200	Extension for reply within second month	117	920	217	460	Extension for reply within third month	118	1,440	218	720	Extension for reply within fourth month	128	1,960	228	980	Extension for reply within fifth month	119	320	219	160	Notice of Appeal	120	320	220	160	Filing a brief in support of an appeal	121	280	221	140	Request for oral hearing	138	1,510	138	1,510	Petition to institute a public use proceeding	140	110	240	55	Petition to revive - unavoidable	141	1,280	241	640	Petition to revive - unintentional	142	1,280	242	640	Utility issue fee (or reissue)	143	460	243	230	Design issue fee	144	620	244	310	Plant issue fee	122	130	122	130	Petitions to the Commissioner	123	130	123	130	Petitions related to provisional applications	126	180	126	180	Submission of Information Disclosure Stmt	581	40	481	40	Recording each patent assignment per property (times number of properties)	146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	179	740	279	370	Request for Continued Examination (RCE)	169	900	169	900	Request for expedited examination of a design application
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Robert W. Esmond	Registration No. (Attorney/Agent)	32,893
Signature	<i>Robert W. Esmond</i>	Telephone	202-371-2600
		Date	01/09/2002



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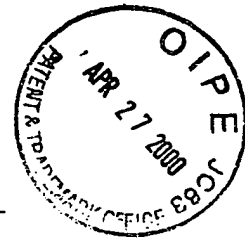
Applicant: Lesko *et al.*
Application No.: 09/430,175
Filed: October 29, 1999
For: Multiple Marker Characterization of Single Cells

Due Date: None
Art Unit: 1648
Examiner: To be assigned
Docket: 1887.0020001
Atty: RWE/KKV

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. PTO Transmittal Letter (*in duplicate*);
2. Information Disclosure Statement (*in duplicate*);
3. List of cited references on form PTO-1449 (*11 sheets*);
4. A copy of each of the cited references on Form PTO-1449 (*35 references*); and
5. One (1) Return Postcard.

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Applicant: Lesko *et al.*
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When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. Second Supplemental Information Disclosure Statement (*in duplicate*);
2. A list of cited references on Form PTO-1449 (1 sheet);
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Applicant: Lesko *et al.*

Due Date: None

Art Unit: 1648

Examiner: To Be Assigned

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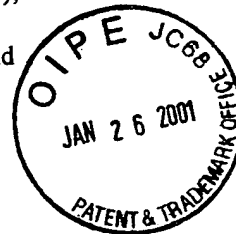
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1. PTO Transmittal Letter (*in duplicate*);
2. Third Supplemental Information Disclosure Statement (*in duplicate*);
3. One (1) page of Form PTO-1449 listing the cited documents;
4. A copy of each cited document (2 documents, AS15 and AT15); and
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Application No. 09/430,175

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

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